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A LETTER
TO THE
SECRETARY OF STATE
FOR THE
HOME DEPARTMENT,
UPON THE
UNJUST AND PETTIFOGGING CONDUCT
OF THE
METROPOLITAN COMMISSIONERS ON LUNACY,
IN THE CASE OF A GENTLEMAN,
LATELY UNDER THEIR SURVEILLANCE.

BY
JOHN PERCEVAL, Esq.

AUTHOR OF A NARRATIVE, &c.

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A LETTER
TO THE SECRETARY OF STATE
FOR THE
HOME DEPARTMENT.

Kensington, June, 1844.

SIR,

I HAVE the honour of laying before you the following pages, containing a letter which I addressed to the Editor of the Times, in the year 1842, respecting the conduct of the Board of the Metropolitan Commissioners in Lunacy, with a correspondence which I have had with that Board, respecting the case of a gentleman lately under their surveillance, coupled with further observations on that case, illustrative of the accusations I made in that letter.

It is with much regret that I call your attention to these charges against, and reflections upon the conduct of a body of men, many of whom devote their time and attention, without any remuneration, to the discharge of duties of a difficult and painful nature, and are actuated solely by motives of disinterested, however imperfectly informed, benevolence in so doing. But the interests of justice

and of humanity are not to be sacrificed to a respect for title and station in society, or for motives, however pure and romantic, when they are not sufficient to preserve the persons influenced by them from great errors, which would bring unreserved condemnation upon others in an inferior situation. And if the rank, and self-devotion of the Metropolitan Commissioners in Lunacy, are to be pleaded in any man's mind as a bar to enquiry into their conduct and proceedings, this is an additional reason why that very imperfect and unconstitutional Board should be effectually remodelled, if not abolished; for otherwise they may become a greater evil than any they were intended to remove, and stand in the way as they already have done of all further enquiry into, and reform of the cruel abuses in the treatment of persons confined as of unsound mind. For my own part, I do not approve of Commissions of this kind, for the administration of the laws of this country, more particularly where they interfere with the ordinary channels of government, but where such a Commission as this is appointed, I think it of great importance, that they should not have an exclusive, but a concurrent jurisdiction with, and in aid of the ordinary authority of the Courts of Law and of the Magistracy; and that they should have fixed salaries for the performance of fixed duties, for the discharge of which they should be responsible, and a recognized chairman, who might feel his honour and reputation concerned, by the decisions to which the Board over which he presides may come. I would observe also, that this is necessary to secure the independence of

such officers. For although the position of the Metropolitan Commission may place them generally beyond suspicion ; yet, they partake of the faults and weaknesses of human nature, and there may be those among them, who, whilst appearing, even to themselves, to be influenced by public spirit, and by that only, are more or less secretly biassed by the opportunities of patronage, and of private aggrandisement which may be thrown into their way by their necessary interference in cases of an extremely delicate nature affecting families of distinction—and who may find it difficult to act with perfect impartiality and strict justice, where the wrongs and sufferings of a patient, without friends and without control over his property, are to be balanced with the risk to the character of, and with the *morbid* sensibility of powerful relations, who through error or through pride have been oppressing him.

With regard to the members that compose the honourable Board of the Metropolitan Commissioners in Lunacy—I am not, that I am aware of, personally acquainted in any way with more than three of them—but of those three, I can safely say, that they are not persons to whom it is safe that patients should be left for an appeal *en dernier ressort*, which is practically the effect of the working of that Board. Lord Ashley's character is before the world, and it is known how much weakness and futility is combined in him, with much nobleness and generosity. Dr. Southey and Dr. Bright, many years ago I came in contact with, on which occasion, I do not think that their conduct was just or

straightforward. Of Dr. Bright I can say, that I never saw a countenance that shocked me more strongly, as stamped with the expression of lunacy; and I conceive that he is incapable of forming a clear, correct and independent judgment in circumstances of difficulty and of novelty. Dr. Southey — has too much of the *suaviter in modo* to be depended upon for the strict discharge of his duty, where rank and power are arrayed against poverty and helplessness. To no men, and much less to such men, should the ultimate decision of the case of a patient complaining of unjust confinement be left, from three months to three months, or from year's end to year's end. But the Commissioners should report all such cases of appeal to the Home Secretary, with their observations upon them—and the Home Secretary should take care that the patients should HAVE ASSISTANCE and a FAIR HEARING.

I have the honour to be,

Sir,

Your obedient humble servant,

JOHN PERCEVAL.

“ Nempe incomposito dixi pede currere, versus
Lucilli.

————— Facit indignatio versum
Qualemcumque potest.

THE following letter was forwarded for insertion to the Editor of the *Times*. The Editor returned it, as unsuited to his columns. The writer, convinced of the soundness of his remarks, has determined upon publishing them. He would willingly be able to save the Houses of Legislature from so contemptible a piece of folly, as to legislate without inquiry upon a subject confessed by all persons to be one of great difficulty, which one half of them do know nothing about, and the other half understand very imperfectly.

TO THE EDITOR OF THE TIMES.

London, March, 15, 1842.

SIR,

Having observed that your paper has noticed the motion of the Lord Chancellor in the House of Lords for a bill to facilitate and improve the conducting of the enquiry into cases of Lunacy, before certain Commissioners, I hope that you will allow me to make a few observations upon this subject.

In the first place, I cannot but protest against legislating upon this subject piece-meal. Several gentlemen have, with myself, for four or five years, been endeavouring to persuade her Majesty's Government to make the subject of the treatment and confinement of persons supposed to be of unsound mind the subject of a general inquiry, and I would

ask, why is this request denied? Every body professes to be more or less ignorant on the subject; every body, in reply to complaints and objections, and petitions for reform, evades undertaking it, by saying that it is a subject of great difficulty; why, then, I would ask, should her Majesty's Government proceed, and ask the Legislature to assist them in legislating upon it in the dark? If it be replied, that inquiries have been made formerly, and excellent results obtained from them, is not this an additional reason, on the contrary, to have recourse to further inquiries, to improve these results wherever, as is the case in too many notorious instances, they have proved abortive?

These observations apply alike to a measure in contemplation in the Lower House, by Lord Granville Somerset. Does Lord Granville Somerset, or does Lord Ashley, or does the Lord Chancellor profess to have infallible light upon such a subject? Can any one man, or any one class of men, pretend to it—particularly any man who has not *proved* the system in its present operation? Surely it is little short of an act of Lunacy itself, for the Legislature to legislate upon the subject of Lunacy, without understanding, and without attempting to acquire an understanding of the matter they have to deal with.

Sir, I would beg leave to ask again and again, why should inquiry be refused upon so important and affecting a question?

With regard to the measure proposed by the Lord Chancellor, I dare hope I shall not be now looked upon as insane, at least by *all* persons, in

expressing my shame, and my sorrow, as a Christian, and as a member of a Protestant Church, that, in spite of all that has been spoken and written of late years, the spiritual nature of the calamity, under which persons of unsound mind labour, and the rights of spiritual jurisdiction have not yet been asserted, or ascertained. In the nineteenth century, the Lunatic is still considered in his civil and physical relations only, and imperfectly, too imperfectly even in respect of both of these ; on any other subject, the glaring absurdity of such an omission would be scouted. But this is a subject of great difficulty,—and, *therefore*, we are to blunder on in our old errors ; and such suggestions are to be timidly and coldly listened to, or rejected, without inquiry ! Is it not lamentable that the Houses of Legislature, already accused of selfishness and of incapacity, should thus lay themselves so open to the additional charge of perverseness and infatuation ?

I now proceed to the Lord Chancellor's and to Lord Granville Somerset's encomiums upon the Metropolitan Commissioners in Lunacy. Sir, this unqualified praise of their conduct betrays the ignorance of their Lordships on the very subject on which they are preparing, in all probability, to mislead others to legislate. A more unsuccessful experiment in legislation, I will venture to say, was never made, than in the formation of that Board. I challenge inquiry ; and I will prove that the conduct of the Board is continually repugnant to every principle of justice, and in many respects of humanity. I happen now to be in possession of

papers that will shew that the conduct of the Board disentitles them to the confidence of their fellow-countrymen. I leave it to others to reconcile that conduct with the reputation that many of these noblemen and gentlemen have of being "humane"—I cannot. Sir, I use no disguised name; I challenge inquiry, and I earnestly call on you to help me in promoting it.

Where did the Lord Chancellor receive his information from? From the Commissioners themselves? or from the Medical Gentlemen? or from patients or discharged patients? *Have the eels flaying alive been allowed to speak for themselves?* If so, their testimony is admitted. If so, why reject only that which I and others are able to bring *against* this Board of Commissioners? Why legislate on ex-parte evidence?

With regard to reforming the proceedings of, and facilitating inquiries into the cases of persons supposed to be of unsound mind, by lessening the expenses of such proceedings, if I thought such a measure were designed to liberate the many, many unfortunate persons, females particularly, who I believe are unjustly and speciously confined, I should hail it with unmitigated pleasure if it provided proper protection for the public, at the same time with speedy relief to the prisoner, and above all, proper respect for the nature of the malady under which he is supposed to labour, but, Sir, this is not a measure of that kind. Property! Property! Property! is the sole object of this reform. How to get a title to manage a Lunatic's estate in the cheapest manner without hurting existing interests

is the sole drift. (I do not mean to say that Lord Lyndhurst's wishes are as limited as his measure, or that his measure would be so limited if he were less helpless, or more informed. God forbid ! I thank him for his courageous attempt at reform of abuses in our present system, however imperfect), but I say, that evidently few are expected to come before the two new Commissioners, but those whose doom has been sealed, either by being clearly deranged, when inquiry is instituted to procure their confinement, or by having been rendered sufficiently imbecile, or driven sufficiently mad during their confinement, to ensure a verdict against them. If this were not the case, the Lord Chancellor could never dream of appointing only two Commissioners.

Sir, it is strange, let me rather say philosophically, it is remarkable that our great equity Judges should thus set an example of legislating on a subject of this nature, on which, if they reflect, they will immediately admit, that they really require nearly every light, and every information, and refuse or disdain inquiry.

I have the honour to be,

Sir,

Your obedient humble Servant,

JOHN PERCEVAL.

P.S.—I desire to be informed, why are Ministers of Religion to be passed over, and Medical men and Barristers entrusted with the investigation of

all cases of spiritual disorder? and I ask is it better to appoint Commissioners to visit persons who may be confined *unjustly* (three months, perhaps, after such confinement), and to liberate them, or to legislate so as to prevent such unjust confinement happening at all.

TO THE METROPOLITAN COMMISSIONERS IN LUNACY.

*Camden Cottage, Kensington,
March 11, 1844.*

MY LORDS AND GENTLEMEN,

I have the honour of calling your attention to the following statement of facts connected with the case of Mr. —, who has been on two occasions confined in different mad houses, under your superintendence, and of requesting your special interference in regard of my present application.

Mr. —, as you are well aware, was committed to prison in the year 1839 for want of bail; he was removed from the Bridewell, Tothill Fields, at the instigation of his wife, Mrs. —, upon the certificate of Dr. Haslam, to Dr. Warburton's establishment at Bethnal Green. Dr. Haslam had certified Mr. — as a lunatic on a previous occasion. Mr. — was about to proceed at law against him for having so done, and he only paid one visit to Mr. — at the prison. From Bethnal Green Mr. — was removed in a very short time (after he had

been informed by Dr. Warburton “that he could not retain him in his house, because his house was not a house for sane people”), upon the certificate of the same Dr. Haslam, and of Mr. Weston, the *junior* assistant of the establishment to Dr. Philp’s at Kensington. At the end of eight months he was again removed at the desire of Dr. Philp and placed at Mr. Tow’s establishment at Battersea. Again, upon the certificate of Dr. Haslam and of a Mr. Reeves, who had not seen Mr. ——— but once at Dr. Philp’s, and who was also implicated with Dr. Haslam in certifying him upon a former occasion. From Mr. Tow’s establishment he was removed to Gloucestershire, from an asylum in which county he was released by the magistrates in Sept., 1842, since which time he has been at liberty, and has thus given a proof of the present sound state of his mind at least, and of the propriety of his being released from surveillance, and, as in almost every respect, he maintains the same opinions as he did previous to his seclusion in 1839, it may be reasonable to infer that, as he then argued, there was no just ground for that seclusion.

The members of your honourable Committee who visited Mr. ———, appear to have acknowledged their doubts in this respect, when they stated to him at Mr. Tow’s establishment that he was not confined for any acts of violence, but in consequence of a number of acts of an extravagant character, the evidence to which, according to the un-English and oppressive practice of your Board, was taken in Mr. ———’s absence, and without any previous notice to him, so that he had no chance of

explanation, or of refutation. Among other acts of this nature adduced against him, there was one that he had drawn a check of £5000, which, however, I believe, was never mentioned to him for several months after his confinement, so that true or false, it was adopted as evidence against him without enquiry. Mr. —— denied that any such check was in existence, or ever had really been in existence, upon which Dr. Hume and Dr. Bright declared that Mr. Phillips of Bethnal Green had shewn them that check; upon Mr. ——, however, offering to bet with them, that what they stated was incorrect, they declined the wager.

Upon his return to London, Mr. —— and myself resolved to investigate the grounds, upon which this charge had been made against him— A charge which had been brought forward as one of the causes of more than three years confinement! a charge therefore of a serious nature, of which he is entitled to know the foundation. I determined therefore, having cause to visit the establishment at Bethnal Green, to interrogate Mr. Phillips upon the subject. I did so. He stated to me that he had had the check in his possession, but that it was then mislaid, and that he could not lay hands upon it. On a second visit Mr. Phillips or Mr. Weston stated, that they had recovered the check; but upon my asking to see it, I was informed that it was then in the hands of some other gentlemen, to whom Mr. Phillips had shewn it. This certainly struck me as strange. On my next visit to Bethnal Green, I requested Mr. B—— to accompany me, in hopes of arriving at some ex-

planation—Mr. Phillips however was then out, and Mr. Weston said, on that account he could not produce the check. Mr. —— declared, that if such a check was produced, he would acknowledge at once, that he was not only insane when he wrote it, but doubly insane, inasmuch as he had entirely forgotten it, and Mr. Weston willingly promised Mr. —— and myself that we should see the check. This last interview was in August, 1843. Mr. —— subsequently, on his way to Bethnal Green, met Mr. Weston, when Mr. Weston told him that he might save himself the trouble of going on, for that Mr. Phillips would not shew it to him. On my return to England from France, I wrote to Mr. Weston a letter (No. 1*) of the enclosed series—To which I received no answer. I determined then to bring the matter before you, my Lords and Gentlemen, but press of business prevented me, and having occasion to visit Bethnal Green again on Saturday the 2nd of March, I requested Mr. —— to accompany me once more, in hopes of obtaining by personal application, a fulfilment of the promise made by Mr. Weston. Mr. Phillips however that day was not at home, or at least was denied to us. I therefore addressed a letter to him, requesting to know if he would produce the check according to the engagement of Mr. Weston. To this letter I am very sorry, that Mr. Phillips has returned the inclosed answer (No. 2), in which he refuses to give any further information upon the subject. To that letter I have

* This letter is omitted, the production being unnecessary.

returned the accompanying answer (No. 3,) and also one (No. 4*) to Mr. M—— his present assistant, arising from an altercation which took place between Mr. M—— and Mr. ——, during the time that I was writing to Mr. Phillips; the nature of which you will be acquainted with from the contents of that letter.

I now call upon you, my Lords and Gentlemen, for your interference to obtain for Mr. —— a sight of the check in question, upon the existence, or non-existence of which depends, not only the honour of Mr. —— or Mr. Phillips, but also that of two of the members of your honourable Board, upon the genuineness of which (which your honourable Board took no steps to prove, but which you assumed) depends very much the justice of the treatment which Mr. —— received at your hands, as this was made a serious charge against him. For either, two of your honourable Board have stated that which is untrue, which it is unworthy to suspect of them; or they have seen a document purporting to be a check of Mr. —— for £5000; and either Mr. —— has stated that which is untrue, which is also foreign to his character and his extraordinarily correct memory and methodical habits. Or such a check so shewn to the Commissioners in question was a forgery, by which they have been practised upon, and which it becomes your honourable Board to investigate to the bottom.

But apart from all reflections upon the honour

* This letter is omitted, the production being unnecessary.

of the gentlemen concerned in these transactions —if by any possibility Mr. —— is mistaken, which no man has a right to assume, and if such a check really exist *in his hand-writing*, I put it to you, my lords and gentlemen, as a matter of gentlemanly feeling, if not of charity, whether he is not entitled to have a sight of that paper, wherein if he recognizes his own hand-writing, a load of irritation and of suspicion will be taken from his mind, and a great advance made to a right knowledge of himself, and towards his reconciliation with his family, with whom, at present, he is offended, as having dealt unjustly towards him.

I have the honour to be,

My lords and gentlemen,

Your obedient humble servant,

(Signed) JOHN PERCEVAL.

*To the Metropolitan Commissioners
on Lunacy.*

(*Enclosures.*)

No. 2, referred to in the above letter.

Bethnal Green, March 4th, 1844.

SIR,

YOUR note, left on Saturday with my assistant, was handed to me, and in reply I beg to say, that the case of Mary Edwards shall be attended to. With reference to that part of your note respecting Mr. ——'s check, I decline giving any information, I further beg respectfully to say, that if Mr. —— is brought by you again into this Asylum, I have given orders that he be not admitted. In

your official capacity of Guardian to the Kensington Union, the doors of the Establishment will be open to you, but if I am to be subjected to the intrusion of Mr. —— with you, I hereby give notice, that we decline keeping the paupers chargeable to Kensington, and shall be obliged by your taking steps to effect their immediate removal.

I have the honour to be,

Your obedient servant,

(Signed) JAMES PHILLIPS.

To John Perceval, Esq.

(*Copy.*)

No. 3, Reply to Mr. Phillips.

*Camden Cottage, Notting Hill Square,
March 6th, 1844.*

Mr. John Perceval presents his compliments to Mr. Phillips.

He is obliged to Mr. Phillips for his note, and for his promised attention to the case of Mary Edwards.

With regard to the production of the check for £5,000, which Mr. Phillips has stated that he possesses in the hand-writing of Mr. ——, and of which Mr. —— denies the existence; as Mr. Phillips refuses to produce the check, which would not only satisfy Mr. ——'s mind, but that of his friends and clear Mr. Phillips's honour, and as he refuses to do this in spite of the promise of Mr. Weston that it should be produced, he must be content to rest under the suspicion of having made a false and calumnious statement, as Mr. Perceval

is very sorry to say, that he can see no reasonable ground for this refusal. With regard to Mr. Phillips' observations respecting Mr. —— accompanying Mr. Perceval to the *house* of Mr. Phillips at Bethnal Green at Mr. Perceval's request, to obtain an explanation upon a circumstance of great mystery, affecting Mr. ——'s honour or Mr. Phillips' honour, Mr. Perceval will make known the whole merits of the case to the Board of Guardians, at the same time he desires to observe, that there was no intention on the part of Mr. —— or of Mr. Perceval, that that gentleman should intrude upon Mr. Phillips' *Establishment*, neither was there any attempt to do so. He went over part of it on one occasion, with Mr. Weston's full permission, who stated that he had no objection at all to his doing so; and on Saturday, having supposed that he would have the same permission, and having expressed his wish to accompany Mr. Perceval which was refused, he only observed that the "regulations were stricter than they were when he was last at Mr. Phillips'." Mr. —— waited on Mr. Phillips, to know whether he would fulfill the positive promise made by Mr. Weston on his behalf, and Mr. Perceval requested him to do so, in order that no new point of discussion might arise, requiring further explanation from the production of the check in Mr. —— absence.

To Mr. Phillips.

Mr. Phillips sent to me the following answer to the above letter, which with the subjoined reply, I also forwarded to the Metropolitan Commissioners.

SIR,

With reference to your statement, that Mr. Weston promised to produce Mr. ——'s check, I beg to remark, that if such a promise was made, it was without my consent. As regards the insinuation of my having made a false and calumnious statement, I must trust to my own character, and the knowledge of my friends for its refutation. I cannot have had any motive in making a false assertion against Mr. ——. I beg to decline any further correspondence on this subject.

I have the honour to remain,

Your obedient servant,

JAMES PHILLIPS.

Bethnal Green, March 12th, 1844.

J. Perceval, Esq.

*Camden Cottage,
—— 1844.*

SIR,

I have the honour of acknowledging your letter of the 12th March, 1844. I beg leave to observe, with respect to your not abiding by the promise of Mr. Weston, upon the plea that it was not made with your consent, that it was not possible that it could be otherwise, as the promise arose out of a conversation between Mr. Weston, Mr. ——,

and myself, and in a matter of this kind, I should think that an express authorization from you could not be necessary.

I beg leave further to observe, that though you did not absolutely promise to produce the check, you admitted virtually that you had no objection to do so, *if I remember correctly*, when, after having informed me that you had recovered the check, upon my expressing a wish to see it, you said that it was in the hands of some other gentleman, and made that as an excuse for not producing it. I must acknowledge, however, that I cannot *positively* assert at this moment whether these words passed between you and me, or between Mr. Weston and myself.

With regard to the suspicions that I acknowledge, I cannot help entertaining that no such check exists, as has been stated to exist—a suspicion which I think all who are, as I am, strangers to you, could not fail of admitting in some degree or other, from your refusal to produce that check, and shrinking from fulfilling the engagement of Mr. Weston, which was made apparently in good faith and in good humour, and almost as a matter of course, a refusal, for which no good reason or motive whatever can be assigned, whilst so many good motives can be urged for the production of the document in question, as the production of that check, if genuine, would tend to satisfy Mr. —— as to the justice of his confinement, and to reconcile him with his family; the detection of a forgery would be doing justice to yourself and to Mr. ——, and to the Commissioners, I can only say, that the best proof you

can give me in refutation of the insinuation, which you say is conveyed in my letter, is, not the knowledge your friends have of your character, but the check itself, which you say is in your possession.

I have the honour to be, Sir,

Your obedient humble Servant,

JOHN PERCEVAL.

To the above communications, the following answer was sent by the Commissioners :

MET. COM. LUNACY OFFICE,
12, Abingdon-street,
2nd May, 1844.

SIR,

I am directed by the Metropolitan Commissioners in Lunacy to inform you that your letter, and the accompanying documents, have been submitted to the Board, and in reply, to state that the Commissioners apprehend that they have no power to direct the production and delivery of the check, to which your letter refers, or now that Mr. — is at large to enter into any further investigation into his case.

Your obedient servant,

EDMUND DU BOIS,
Clerk and Treasurer.

To this letter which, as if the clerk, who is usually very punctual in his correspondence, was ashamed of his orders, was not sent to me, till I had applied for it, I replied as follows :—

*Campden Cottage, Notting Hill,
May 23rd, 1844.*

MY LORDS AND GENTLEMEN,

On the 3rd of May, I had the honour of receiving a letter from your clerk in answer to my enquiries respecting what determination your Honourable Board had come to, in regard of my application on the behalf of Mr. —, that he should be enabled to see the check for £5000, which Mr. Phillips states is in his possession, as drawn by Mr. —, and on which your Honourable Board founded, in great measure, their judgment of his not being a proper person to be at liberty during the years 1840, 1841, and 1842, in which letter your clerk informs me “that your Honourable Board apprehend that they have no power to direct the production and delivery of that check, or now that Mr. — is at large, to enter into any further investigation of his case.”

To this letter I beg leave to reply—first, that I did not on Mr. —’s behalf request the delivery of the check up to him, or its permanent delivery up to your Honourable Board; although, as it formed part of the grounds of their judgment and proceedings towards Mr. —, I question whether they ought not, if they had exercised due diligence, to have secured the possession of it from the first giving Mr. Phillips an acknowledgment for it; but I requested you to endeavour to obtain the production of that document for Mr. —’s *inspection*, in order that he might be enabled to ascertain whether

it was or was not in existence, and in his handwriting, and if not, by detecting a forgery, make the Commissioners and Mr. Phillips aware of the deception which has been practised upon them, so as to make them more cautious for the future, and to do himself justice in your opinion.

In the next place, I beg leave to observe, that if your Honourable Board expect that in the Act of Parliament, whereby you are appointed to prevent and remedy all cases of oppression towards persons who are confined as of unsound mind, you are to find the name and the particulars of every individual case that can come before you specified, before you deem *that you have power to interfere*, you very much disappoint the expectations which the public have formed from the creation of your Honourable Board, and shrink from the frank and straightforward discharge of those duties for which you were appointed by the Act of Parliament.

In the third place, if the Act of Parliament does not contain a clause, empowering you to order the production of any paper which may be necessary to clear up a doubt and difficulty affecting the character of members of your Honourable Board, as well as that of owners of asylums, and of patients, with whom you to have had to do ; and so you resort to the subterfuge that you have no legal power to do that which I have had the honour of requesting you to do, on considerations both of justice and benevolence ; at any rate, you have that power which every body of gentlemen has on another gentleman, to insist upon the production of documents, upon the authority of which as produced, or

alluded to by that gentleman, they have made an unfounded and libellous charge to and against another person, and have done him injustice both in their language, and in their judgments. You must admit that you have the right, as any other gentlemen have under such circumstances, to call upon Mr. Phillips to produce the document in question, or to abide the consequences. You must admit, also, that in your quality, as Commissioners appointed to superintend the management of private lunatic asylums, to prevent injustice, and to maintain a proper controul and surveillance on the character and conduct of the managers of such institutions, you have more than the ordinary right and power which gentlemen in society have under such circumstances, since the continuance of Mr. Phillips' license may depend on your recommendation. I contend, therefore, that you have not only the right and the power, but that it is your duty to investigate this case to the bottom, especially since Mr. —— has already been twice under your surveillance, and both times under circumstances of great difficulty and suspicion; and therefore, as either from the malice of the parties who caused his former confinements, and who have not changed their attitude towards him, or from his own weakness, it is not improbable that he may be again confined in similar circumstances, it is essentially important that you should have accurate knowledge of the grounds of the charges formerly made against him, where there is a question of the truth of them. If, therefore, you continue to plead that you have not the power to cause the produc-

tion of this paper, you must feel that you are guilty of a timid and slothful evasion, and that you are shrinking from the discharge of a duty which you owe to society ; and to Mr. ——, as gentlemen, as well as in your capacity of public officers. I trust, therefore, that your Honourable Board will reconsider the resolution you have come to.

Mr. —— states that he feels he is not safe for one moment from the renewal of these malicious attacks, and expects every day that a repetition of them may occur. He cannot look back without pain on the confident tone and the pertinacity with which this charge of the check for £5000 was brought from time to time, and insisted upon, as an evidence of his insanity, by the several members of your Honourable Board ; nor on the indifference, and, according to his impression, the contemptuous pity with which his challenges for the production of the check, and his denial of the truth of its existence were met ; and from his past experience of the views and dispositions of these honourable gentlemen, he looks forward with considerable apprehension and alarm to this charge remaining uninvestigated and unrefuted.

But should you not do so, and should you still shelter yourselves under the plea that Mr. —— is at large, and that you have not the power now to enter further into his case, then I have to remind you that Mr. —— did not owe his release, or any redress to your Honourable Board ; and I must first express my surprise at such a plea, when Mr. —— *himself* applies to you through me to request you to interfere ; and next, my regret that when Mr.

—— was not at large, but under your surveillance, when he could not help himself, and you refused to permit me, and other of his friends, to help him, and to allow me to be present at an examination into his case, as his attorney, that you did not then take more pains to secure, to examine, and to confront with him the document in question, of which you made so much importance, when *at that time* defending your non-interference in his favour, and upon which, in great measure, you condemned him to three years of miserable confinement in the society and company of the insane. This document Mr. —— has now more than ever a right to declare to be a false document, and never to have existed in his own hand-writing; and Mr. —— and his friends have a right to conclude, that through haste and inadvertence, or somehow or other, you have been parties to a false and injurious charge against him; and that now, through love of ease, or through favour, or through prejudice against Mr. ——, and presumption, you avail yourselves of technical excuses so as to cover the fraud which has been practised upon you.

I have the honour to be,

My lords and gentlemen,

Your obedient humble servant,

(Signed) JOHN PERCEVAL.

*To the Metropolitan Commissioners
in Lunacy.*

To this letter I received ultimately the following answer:—

MET. COMMIS. IN LUNACY,
Office, 12, Abingdon-st., Westminster,
30th May, 1844.

SIR,

The Board, assembled this day, direct me to inform you that your letter respecting Mr. —— has been taken into consideration, and that they have no further answer to give you.

Your obedient Servant,

EDWARD DU BOIS,
Clerk and Treasurer.

J. Perceval, Esq.

With regard to the above correspondence, I must observe, that the Commissioners' plea of want of power to interfere, reminds me of an anecdote told of a north-country justice to this effect, that when a fellow was brought before him for stealing a fustian jacket, he desired his clerk to look out in the law index for the word jacket, and then for the word fustian, and not finding either, he came to the conclusion, that there was no law to convict the offender. The Commissioners are appointed to prevent the abuses, which formerly took place in the treatment of persons who were supposed to be of unsound mind—one of these abuses, was the confining them upon false charges of insanity. Now how are they to prevent abuses, but by detecting them, and how can they detect them without enquiry; and if an abuse of this kind is brought

before them, what signifies it, as far as regards the character of the persons who are accused of it, whether it is during the confinement of the person affected, or ten years after. Nay, it may be impossible for the party complaining to have any knowledge of the abuse until after his release, according to the Commissioners' manner of taking evidence behind a man's back, and keeping their secrets to themselves. Whenever the charge is made, it is their duty to investigate it, and to deal becomingly with the parties implicated in it, according to the results of such investigation. They have certainly the power to do so, if they have the will, both as gentlemen and Commissioners; for if the law does not mention for the information of their scrupulous consciences, every case that can possibly arise for their consideration, at least, it does not forbid them; and in this case, the only party who could refuse their jurisdiction, requests them to interfere. The other party, Mr. Phillips, *it is their duty to examine*, and his refusal to admit their jurisdiction would be tantamount to a confession of his guilt. If *he* were the party who was removed from their jurisdiction—if *he* had given up his asylum, there might be some sense in their excuse. To what motive now to attribute their refusal I am at a loss; whether it is their one-sided view of the case, and their presumption, against Mr. —, and in favour of Mr. Phillips; or that they are conscious that when they made the assertion, that they had seen the check in question, they were confounding facts, and guilty of an erroneous misstatement; or whether it is, that spirit of tyranny

which so often attends the possession of power, whether in an individual, or in a collective body, and which pervades all boards, whether they be Boards of Highways or Boards of Guardians, Commissioners of Sewers, or Metropolitan Commissioners in Lunacy, or their pusillanimity. Perhaps they think, that Mr. —— has his remedy in law. But what is this remedy in law to a gentleman, who has to live, lodge, and clothe himself on a small monthly stipend, and that not his own, but an allowance made to him by the affection and liberality of his brothers. And if any solicitor would undertake Mr. ——'s case, on the risk of obtaining damages and costs in his favour, what chance would there be of a jury returning damages, when, however, much the Commissioners insisted on this charge, during Mr. ——'s confinement, they might bring forward all or any one of the other *extravagant* acts,—absurd proofs of insanity as they might be,—as that on what they chose to hang their decision against him. Considering these things, I am convinced, that there is no plain dealing and reasonable man, but will agree with me, in condemning their resolution, with regard to Mr. ——'s application, as an unjust and illiberal evasion.

Mr. —— who is a man distinguished, not only by his enterprize and clever inventions, in the business which he formerly pursued, but by his ardent advocacy of liberal principles, and by the public spirit with which he assisted in, and contributed towards the formation of one of the first Sunday Schools established in the metropolis, and to the foundation of the Mechanics' Institute, having

parted with his share in his original business to his brothers, engaged in a speculation connected with it, which ultimately, and chiefly by an act of unjustifiable aggression, on the part of a person with whom he had differences, terminated in his ruin. He went abroad, whilst his brothers arranged his affairs. At the expiration of two years or more, he returned to England, commissioned by several houses in France to recover debts for them, upon the estate of a bankrupt, whose debts were being paid off, for which he was to receive a reasonable per centage. He had scarcely been in England a fortnight, when his wife, who had only seen him a few days, thought proper to employ two doctors, Dr. Haslam and Mr. Reeves, to visit him and to certify him as a lunatic. This the above respectable doctors did upon one visit, in which they found him in the midst of confusion, being engaged in removing his furniture from one house to another. They saw him on this occasion *together*, and yet had the astonishing principle to sign certificates, *in which they declare that they visited him separately*, being by law required to do so. An official copy of the certificate is now before me, dated Oct. 7, 1835. Mr. — was taken to St. Luke's, where he remonstrated upon the abuse of the funds of a public charity in taking care of him, whose family if he were insane were well able to support him. The governors of the hospital in consequence refused to receive him, and he was removed back to Sir Jonathan Miles' establishment at Hoxton, where he had been already placed for three weeks. On appealing here to the surgeon against his confinement, he was

referred to the Metropolitan Commissioners, who were daily expected, not having visited the asylum since the 15th of July, or thereabouts. He waited until the 9th Jan., 1836, before the Commissioners made their appearance; thus, the patients of that asylum, who had no other parties to appeal to against unjust confinement, or cruel treatment, were *nearly six months* without obtaining a sight of the Commissioners, and Mr. —— was deprived of his liberty *three months* without the power of being heard by any tribunal or authority in the country.

At length the Commissioners came. Mr. —— remonstrated against this imprisonment, and he referred them to the surgeon of the Establishment, a Mr. Goodwin, who had told him, that he did not appear to him to be of unsound mind, but quite different from the other patients; he also represented the impropriety of his treatment and of the management of that asylum; but it was not till the 15th of March, 1837, when more than fifteen months had elapsed, that he obtained from them his release, two of the keepers of the asylum bearing witness, *that they had seen nothing in his conduct like insanity, during the whole time that he was in that asylum.* But this release did not take place, till TWENTY-SIX DAYS AFTER the Commissioners' last visit to him, on the 17th of February, 1837.*

* The following *grave* and consistent charges were brought against Mr. —— on the occasion of this first confinement, or in justification of it:—1st. That he did not shew any great affection or care for his children during his two years residence in France, whereas he wrote to his wife to press her to come

After his release, Mr. — — with myself joined some other gentlemen, who had associated themselves together, with a view to procure a reform in the laws affecting the treatment of lunatic patients; he proceeded also to take steps to prosecute Dr. Haslam and Mr. Reeve for their conduct in certifying him falsely as an insane patient, who was a proper person to be confined,—and illegally, inasmuch as they had not visited him separately. For a copy of their certificate, Mr. — — *applied to the Metropolitan Commissioners two or three times, but was refused,* until after three applications to the Lord Chancellor he obtained an order for it. He remained afterwards at liberty on a very small allowance, conduct-

to Boulogne, with the children, that he might meet her there with them. 2nd. That he spent more money than he ought, out of his small allowance, in procuring them and sending them small presents. 3rd. That on one occasion, in Paris, whilst joking with some friends, he turned his empty pockets inside out, as a proof positive of his poverty. 4th. That he took post horses from London to Brighton, which was not true. 5th. That having gone to sleep in the house to which he was about to remove his family, to take care of the furniture, there being no servant in the house, on one occasion having neglected to take the key with him when he went out, he was obliged to get a ladder and scale the back premises. On another occasion, having no lights and no lucifers, he was obliged to walk late at night as far as a turnpike gate to get one. The weight of other similar charges which were brought against him, may be judged of by their requiring the support of such evidence. The men deserve to be scouted who could listen to them. Recent events prove that too great caution cannot be exercised in allowing persons to be at liberty, whose eccentricities are of a mischievous description; but if Mr. — — has any eccentricity, which I have not yet been able to discover, it is one of excessive punctiliousness, and sympathy with others in misfortune.

ing himself with propriety, until part of that allowance was stopped. But about this time, September, 1839, having entered into treaty with a celebrated auctioneer for a business, which he was to conduct for another gentleman, in which he had sanguine hopes of success; the expression of which, in a hyperbolical manner, was afterwards counted against him as a proof of insanity; an altercation ensued, the auctioneer having uncourteously broken off all correspondence, without notice and without assigning any reason for doing so. Mr. —— at length, after repeated applications, threatened that, if he did not answer his letter, requesting an explanation, he would horsewhip him. For this threat Mr. —— was summoned before a magistrate. The magistrate required him to find bail; but before he could communicate with any of his friends, he was removed to the Bridewell, at Tothill Fields, from whence his letters were not forwarded to the parties, for whom they were intended. At this prison Dr. Haslam was again sent to him by his wife's orders, who had before failed in an attempt to seize him, and drew up another certificate of his insanity, which the surgeon of the prison was prevailed on to sign. Mr. —— was in consequence removed to Bethnal Green, about the 10th of October, 1839. After his removal here, Dr. Warburton informed him, that his house was not a house for sane patients, intimating that Mr. —— ought not to be there, and refused to keep him any longer in his establishment; and Dr. Haslam again had the modesty to present himself, and with the *junior* surgeon of the establishment concocted another

certificate, upon which Mr. —— was removed to Dr. Philp's at Kensington, on the 21st of November, 1839. It did not, however, sort with Dr. Philp's ideas to keep this reasoning madman with him, and he was in consequence removed on the 17th of August, 1840, to Mr. Tow's Asylum, at Battersea; upon the certificate of Dr. Haslam and his former associate, Mr. Reeves, who had again the wonderful acumen to discern the exact state of Mr. ——'s mental faculties, in about an hours' conversation at Dr. Philp's, and the moral courage to act upon that judgment so formed, but who never to this day, has assigned to Mr. —— any one ground for that judgment, although he has promised repeatedly so to do.

All these removals, under all these suspicious circumstances, took place under the surveillance of the Metropolitan Commissioners. I say suspicious circumstances, for the plea for the refusal to keep Mr. —— was, that he was such a troublesome patient—but what are madhouses for, but for troublesome patients? Those patients only are troublesome, in the sense that it is not the interest of the owner to keep them, who have too much conscience to submit to or witness improper treatment, without representing it,—and who have too much self-command to commit themselves in so doing. To the Commissioners Mr. —— took care to expose all the facts connected with each of these removals, and explained the reasons why his presence was an annoyance to the doctors he had been placed under: viz., because he had sense to perceive

the misconduct practised in their asylums, and wisdom to teach the patients how to obtain redress. The Commissioners at length specially investigated his case; *but it appears, that it was not till Mr. ——— was at Mr. Tow's, at Battersea, that they had made themselves even so far masters of it as to know*, that he was not confined for any acts of violence; but for a series of extravagant acts, amounting to a proof of unsoundness of mind, as mentioned at page 13, line 29.

It was not till the 13th of May, 1841, that they made this report to him, as the result of their enquiries, after an earnest appeal from him to them. At that time Mr. ——— had been confined already more than one year and a half. Surely, it is enough to sink the Commissioners in the estimation of all fair dealing and honourable men, that they should have been so remiss, in informing themselves accurately upon a case of such a nature, where a patient had been constantly appealing to them. Having, however, at length condescended so to investigate his case, and in their usual revolting manner, without giving Mr. ——— any notice of the time of their proceedings, or affording him an opportunity to hear and confront those, who gave evidence against him, or to be present by attorney, without even allowing him to read the evidence, the Commissioners next came to the resolution to visit him three times, with a view to his release; this they did on July 29th, August 16th, and August 30th, 1841, but they decided not to release him. This decision was no doubt made, partly upon

the excitement, the natural excitement which their own oppressive and dilatory conduct gave rise to ; but partly also upon the charge, the serious, and I conceive libellous charge alluded to in the above letters, which they now refuse to make any further enquiry into, at the request of the party most cruelly outraged by their proceedings.

When Mr. —— had been removed to Bethnal Green, I went there with Mr. Paternoster, to apply for admission to him. The medical assistant, Mr. Weston, however informed us that he had just been removed to Kensington, and observed, laughing, that he was too troublesome a patient for their asylum. I next applied at Dr. Philp's at Kensington, who refused me admission without the permission of his wife, whose address he could not give me, but referred me for it to Mr. ——'s brother. There being differences between the brothers, he refused to interfere, and I was compelled to desist from further proceedings, as I had no authority, and I was perfectly acquainted with all the trickery of the diabolical system of tyrannizing over a supposed lunatic patient. At last, in the month of March, 1842, I received a large packet of papers, which Mr. —— had contrived to pass to me, with a letter requesting me to come and see him, and to use all means to obtain his liberation. He sent me also the addresses of the parties concerned ; and two petitions for the House of Commons and House of Lords, which he requested me to forward for presentation to Sir Henry Hardinge and to the Duke of Wellington, who had formerly transacted business with him, and had treated him very hand-

somely.* As soon as I possibly could, I proceeded to Mr. Tow's, to request an interview with his patient; Mr. Tow, as I expected, referred me to Mrs. —; I wrote then to that lady, who refused me admission to her husband, on the plea that it would be injurious for him to see me. Mr. — had fortunately mentioned the exact state of his health, which except that he was suffering much from rheumatism, contradicted the tenor of the above answer; and I also called upon the Hon. and Rev. Robert Eden, the Vicar of Battersea, who visited Mr. — in the Asylum, and who had interested himself in his behalf with the Commissioners, for his opinion of his state of health. Mr. —'s statement being corroborated by that of Mr. Eden, I applied to the Metropolitan Commissioners in Lunacy, for an order to visit my friend, at his request, having been refused by his wife, upon a ground which they knew not to be correct. The Commissioners on this occasion, also replied,—THAT THEY HAD NO POWER TO INTERFERE. No power to admit an Englishman, of about forty years of age, to visit a friend of the age of sixty, confined for no crime;—but as a poor lunatic, in a Lunatic Asylum. How long are we to submit to this pupillage?

I then had either to abandon Mr. — to his

* I forwarded these petitions forthwith. I received an evasive answer from Sir Henry Hardinge, and a cold forbidding reply from his Grace the Duke of Wellington. These high, but not high-minded Tories, despising the prisoner's prayer, and being unwilling to mix up their reputation, with that of one under the cloud of the imputation of lunacy, whether that

fate, or with all the serious odds against me, arising from the nature and length of his confinement, upon my own responsibility, to run the risk of compromising my own character, and that of Mr. —, and others, by carrying on a clandestine correspondence with him, incurring also the risk of an affair with the police, and of a night's rest in a station-house, and of an exposure before a police magistrate, by communicating with him at dusk at his window in the asylum. I did not hesitate which to choose; but I resent very much the disrespect which was shewn to me personally, and that in this country any man, much more one of my family, and station in society, should be necessitated to resort to such means to maintain the rights of acquaintance and friendship. The word friends, however, is not to be found in any of the laws relating to Lunacy in these kingdoms; and the Metropolitan Commissioners were safe, perfectly safe. After repeated visits to Battersea by day and night, I contrived to get an order passed out to me from Mr. — to act as his attorney, and being informed by him that an enquiry was shortly to take place respecting his case, I forwarded a copy of this order to the Commissioners, and requested permission to be present. The Commissioners replied in their usual strain, they were bound by law to secrecy, and not authorized to admit third parties to their investigations. Again they were safe—very safe; yet, at that time, I believe I was imputation was calumnious or not. Captain Pechell, the *radical* member for Brighton, to whom Mr. — was also known, kindly presented the petition, but the House of Commons took no notice of it.

already more perfectly acquainted with every feature of the case, and had more diligently investigated it than many, perhaps, than any of them. I was then informed by my friend, that a plan was laid to carry him off secretly into the country. I remonstrated with the clerk to the Commissioners on the unfairness of their removing him from the jurisdiction of those who were masters of his case, to the jurisdiction of county magistrates, who were strangers to it. The clerk endeavoured to put me off, saying that they did not know that he was to be removed, and he thought the Commissioners would release him. I resolved, however, to take advice about procuring a writ of Habeas Corpus, to bring him up before one of the judges; but before this could be done he was removed, and this was permitted in May, 1842, although in the meanwhile two sets of the Commissioners had informed him that they had come to the resolution to give him his liberty.

I had, however, arranged means with my friend, by which I obtained a clue as to the place of his destination—it was but an imperfect clue; but by help of the reports now published annually, it enabled me to make a good guess that he was confined at an asylum in Gloucestershire, and having written down to the visiting magistrate, stating the circumstances of suspicion under which Mr. —— was confined, and requesting them immediately to visit him, I ascertained that he was now placed at Mr. Iles's,* at Fairford, in Gloucestershire. As

* Although Mr. Iles at first, from misinformation of Mr. ——'s character, treated him roughly and even laid hands on him, yet his conduct, and that of his medical adviser, was frank and honest, compared with that of the owners of the Asylums

soon as I could find time I went down there myself, and then I discovered the pleasing contrast between a magistrate, who was a clergyman and a gentleman, and the Metropolitan Commissioners in Lunacy. I called on the Rev. Edward Leigh Bennett, one of the county magistrates, and, with much misgiving, stated my object—my belief that Mr.—— was confined unjustly—my desire to serve him; but the necessity that I felt I had for an hour's conversation with him, to remove all doubts and to explain several matters, previous to undertaking legal proceedings. That excellent man immediately seized my ideas, and did justice to my views. He said that he would immediately give me an order to see him, and on second thoughts insisted on accompanying me, least I should meet with any disappointment; he kindly added, that I should see him alone, and converse with him as long as I thought proper, after he had first prepared him for my visit. On our arrival at the asylum, whilst I was conversing with Mr. ——, Mr. Iles informed Mr. Bennett that he had received a letter from Mrs. ——, stating it to be her intention to release her husband as soon as she had found a lodging for him in London. It appeared that after the visit of the magistrates, the surgeon of the asylum

in which Mr. —— was placed in the Metropolitan districts. They might, like the gentlemen in London, have avoided all responsibility by turning Mr. —— over to the proprietor of some other asylum—but they preferred the straightforward and honourable course of declaring that they found no fault in him. If all gentlemen in their position behaved honestly, how elevated a position they would hold in society—and how great and benevolent their office would become.

had certified that he could not discern any symptoms of insanity in Mr. —, and Mr. Iles had written to that effect to Mrs. —, upon which that lady had referred to Dr. Haslam, who had the condescension to state that he had nothing more to do with it, and thus removed his ban from off him. The visiting magistrate, however, who took the trouble fully to master all the particulars of the case, and to visit him repeatedly, did not wait for Mrs. —'s further ultimatum in behalf of her unfortunate husband, but with the concurrence of the other magistrates, released him immediately, and with great kindness offered him his house, and insisted upon making him his guest for a month, to give him time to recover himself previous to his return to London.

Now what the magistrate did, I presume the Commissioners could have done; for, in the first place, who would venture to refuse them acting deliberately in such a case? Mr. Tow, who approved of Mr. — and his other patients seeing their friends, would have been glad to have been released from the strict injunctions laid upon him by Mrs. —. In the next place, surely the law by which the ordinary and wholesome authority of our magistrates is set aside by one of these new fangled Commissions of modern invention, for the avowed purpose of the *better* protection of the subject, could never have been intended to leave these Commissioners with *less* power for the subject *to avail himself of*, than the magistrates had before. Am I not right, therefore, in representing the conduct of the Commissioners as paltry and pusil-

lanimous, as contrary to the spirit of the law by which they were appointed, and as a forfeiture of the trust reposed in their hands. But I have not done with them there. They were right, strictly right, conscientiously right, in acting up to the letter of the law. Be it so. They are right, strictly right, conscientiously right, in following all the worst examples of the inquisition, in taking evidence behind a man's back, and refusing him leave to be present in person, or by attorney. Be it so. But is such a state of things right? is it not, on the contrary, a state of things that every loyal spirit should repudiate? and should they not have come to Parliament long ago for further powers? and have not two members of that Board, Lord Ashley* and Lord G. Somerset, long ago had

* That Lord Ashley is a man of a noble spirit, and of a benevolent disposition, no man who has seen him can doubt, these innate qualities stamp his outward character; that he is an enlightened man, and influenced by public spirited motives, must also be conceded; but in proportion as he is by nature of an humane disposition, and in proportion as he is of an enlightened mind, he is so much the more to blame, in my opinion, in his capacity as a Commissioner of Lunacy, for having so long neglected the reform of the Law, which he has for some years been administering; the defects of which are so grossly evident, and the imperfections and inadequacy of which, he has himself admitted in his place in Parliament, and to an extent really fearful.

No man of moderate capacity could administer that Law, without being sensible of the flagrant violations of the liberty of the subject to which it gives inlet. No man of ordinary benevolence could contemplate, without shuddering at them, the dreadful consequences of such violations of justice; much more must an enlightened man, much more must a man of

seats in Parliament, where they might have introduced an amendment of such a state of things, and have they done so?—No—On the contrary—when Mr. Wakley, on several occasions, moved in the House of Commons for an enquiry into this very state of things, when he was prepared with much valuable evidence to go before a committee, these very noble Lords opposed him; and, to stifle enquiry, introduced a measure to extend the jurisdiction of their Board, with all its defects, under the pretence of procuring that information, which was ready at the doors of Parliament; but the light of which, I fancy, was too glaring for the weak eyes of certain persons, who desire that it may reach the legislature a little softened, through the medium of a report of the honourable and magnanimous Board of the Metropolitan Commissioners.

With regard to Mr. ———, it is not my purpose here to discuss whether he was, or was not, of unsound mind at any period of his repeated and long protracted confinements. My business is with the principle upon which the Commissioners have acted, which, according to their rule, is applicable to every case, however improperly the person may be confined. My own opinion is, that he has been the

humane character have resented these things; and that such a man, moving in the sphere in which Lord Ashley moves, and which he doubtless adorns, that such a man having the opportunities which Lord Ashley has had so long as a member of Parliament, conversing too with our greatest Public Men and Ministers—that he should have made no exertions to effect a remedy, when a remedy was so simple, renders his conduct far from praiseworthy, nay, even reprehensible.

victim of violent prejudices and exaggerated misapprehensions, to ascribe no worse motives; but a gentleman who has been certified by two such “highly respectable men as Dr. Haslam and Mr. Reeve, *although they did sign two false certificates*, and who has been again certified by the same great medical authorities, *although he was about to proceed against them by law for their former certificate*, and by divers *junior assistant surgeons* of asylums;* a gentleman who has been so long in so many establishments of that description, and who has the concurring testimony of three of the owners of these establishments, Mr. Phillips, Dr. Philp, and Mr. Tow, *who can have no possible interest* in saying anything to disparage him—that he is, or was, a decided maniac; a gentleman, who was so long under the surveillance of my Lord Ashley, and other Metropolitan Commissioners in Lunacy, *who could be influenced by no other motives but those of the purest benevolence, or by any desire but that of doing him the strictest justice*, must be doomed in the eyes of this generation; and, therefore, I think it idle to dispute the question against such overwhelming *evidence*, and the *logical* conclusion to be drawn from it. Nevertheless, in matters of this sort, as in all others, I myself am foolish enough to run into the unpalatable error of looking to facts rather than to opinions and authorities, and of grounding my own

* It is in this country almost heresy in these matters to doubt, that the diploma of an apothecary, or of a surgeon, conveys a spiritual gift of discernment which must not be questioned, like the laying on of hands, only *an imposition* of another character.

judgment upon them. Of these, there are certainly very few that merit a reflecting mind's serious attention. I must add, that because of the manner in which I have found every act of this unfortunate gentleman stained and perverted against him. I requested him not to take any steps himself in this matter, but to leave it to me; and that, together with a view to the public service, is the ground, and I trust a sufficient ground, for my interference.

APPENDIX.

[In order to give some idea of the state of Mr. ——'s mind about the period of his first confinement, I have added the following letters, the first of which was written about three months after he had recovered his liberty. They throw an additional charm upon the beautiful chiaro-oscuro of the Commissioners' conduct and office. I call particular attention to the repeated and unsuccessful application of Mr. —— for the restoration of his papers. To the studied and contumelious neglect of his letters, which were not even acknowledged, except in one instance—a neglect continued in spite of Lord Ashley's promise, that his letter of the 5th of July should be taken into consideration, and that he should hear from the secretary, and, to the nature of the reply, when he did in fact "HEAR FROM THE SECRETARY," having casually met him; namely, that his letter was so full of exaggerations, as to be unworthy to be attended to. How these honourable noblemen and gentlemen could venture to come to so infamous a conclusion, and one so insulting to Mr. ——, without enquiry and examination of parties in his presence, I cannot imagine; and will it be credited, that Mr. ——'s pertinacity in writing letters to this honourable Board, in order to press his case and the sufferings of others on their attention, has been counted to him for madness, and with consummate impudence, since the systematic and uncivil silence of the Board alone could give countenance to such a charge. It was, indeed, almost madness to persist in writing to a Board so insensible to the dictates of good breeding, and of humanity. Mr. —— has, however, effected a great reform here already, and an invaluable one to persons in the anxious situation he

was formerly placed in. The clerk does now acknowledge the receipt of letters, since Mr. —— made a strong remonstrance upon the subject to the Commissioners. I must also add, that had Mr. —— made to Lord Ashley the promise Lord Ashley made to him, it would have been punctually performed; and there is not one of the Commissioners I know of, to whom I would give such credit for correctness of memory, and a scrupulous and minute regard to truth as I would to Mr. ——.]

ADDRESSED TO THE COMMISSIONERS IN LUNACY.

GENTLEMEN,

I have waited, and deferred writing to you, during the last three months, agreeably to the suggestion Dr. Turner favoured me with, shortly after my liberation from Hoxton House; to remain quiet for some such period of time. The state of my health and spirits, has also tended to prevent me addressing you earlier.

I have also been waiting in the expectation, that the Proprietors would have made good the repeated promises I received, that my Papers should be returned to me. These Papers as I mentioned to you, in my letter of the 22nd March last, consisted of a portion of my diary, letters, &c., and which would have been very useful to me, in my present purpose, of bringing under your notice some of the charges and complaints, which I have uniformly stated to you; since our first interview, it was my intention to lay before you, as soon as I should be at liberty, and be thereby in some measure relieved from the taint and stigma of Insanity.

I will commence these charges, by making a formal complaint of the seizure, and of the retention of these Papers; with the lingering hope, that instead of my being compelled to have recourse to other means, you may be pleased to exert your authority, and compel their restitution.

As I have already stated, these Papers consist of a portion of my diary, that portion comprised from my first entrance in the house, till it was taken away, also letters received, copies of letters forwarded, memorandums, notes of inventions, &c.; of no available use to any one, excepting to the owner, who values them.

A bundle of these papers were abstracted, about twelve months since, out of my blue bag, which was clandestinely taken from me, and a pretence was set up, that one of the pauper patients had stolen the bag and had destroyed the papers. The remaining part were taken from me, a few weeks before I left the house.

I had been repeatedly promised by the clerk, Mr. Allen, (after he chose to allow that the first portion were in his possession,) that they should be returned to me when I quitted the house; and the surgeon, Mr. Lee, gave me to understand on my leaving, that after the proprietors had inspected them, they would be sent to me. I have since written, and sent a messenger for them, but I only received a verbal message in reply, to the same effect, "they would be sent to me."

If these papers had been taken from me, while there had been any doubt of my sanity, the scrutiny of them might have been offered as a justification, for this outrage on the feelings, of either a sane or an insane patient; but the truth of the case is, whatever erroneous opinions and reports might have been made of my conduct or state, previously to my being conveyed to Hoxton House; there was no doubt of my sanity at the periods of time, when the papers were taken from me. Nearly six months had elapsed, previous to the first seizure, after Mr. Goodwin (the superintendant and surgeon to the establishment,) had assured me, that *he had not been able to discover any thing of insanity about me.* More than three months had also elapsed, since he had advised me to write to my wife, and instructed me to state to her his opinion, that *there was nothing insane or mad about me,* and that *he recommended my immediate removal from the house.* This took place in November or December, 1835, and it was not till in

or about the following month of March, the first portion of these papers were taken from me. I had also received declarations to a similar effect and tendency, from almost all the rest of the sane part of the establishment. I beg to repeat, there could be therefore no pretext on the ground of insanity, nor any justifiable one that I can imagine, and the one adduced by the clerk, Mr. Allen, will, I have no doubt, prove to be as false as his other representations when they have been exposed.

I will not detain you further on this subject, than to state my impression of the iniquity and injustice, not only of the seizure, but the subsequent retention of these papers. They are mine, they are the product of the labour of my brains and my hands, they belong to me, and it appears to me, no one can be justified in retaining them against my will. I am certain there can be no reason offered for these papers being retained, which would not have applied to the withholding from me those, which were returned to me by Dr. Turner, and which I may now consider myself to have been very fortunate in handing into your safe custody. I, therefore, view the conduct of the Proprietors and their agents, respecting these papers, as one of those galling, vexatious and dishonest wrongs, so many of which I have so unhappily experienced for such a length of time, and without redress in that establishment.

The next matter of complaint to which I would call your attention, relates to my correspondence; and which will shew the harsh and unfeeling manner with which I was treated.

The few letters I received from my wife were delivered to me *open*, the seals having been broken.

Another letter from her was not delivered to me at all, or rather not till twelve months after it had been sent for me. I did not receive it till the day I left the house, and it had all the appearance of having been opened and re-wafered. If I had received it when it was originally sent, it would have relieved my mind on some important points, and have prevented much bitterness between us.

Any attempt to send letters to my relatives and friends, to inform them of my unhappy and miserable situation, was treated as a crime, and punished with severity, while my letters were retained.

I was always left in doubt and uncertainty, whether any, or when, or how my letters (delivered to be forwarded through the counting-house,) were sent, or whether they were forwarded at all. Many of them, and particularly those which more immediately *related to my sanity, and the propriety of my removal*, I must conclude, *were never forwarded at all*. I was often jeered and taunted respecting them, and the numbers I had written. You may possibly recollect, my refuting a false and insulting charge, of my having wasted reams of paper, in daily writing of letters ; by handing to you a list of all the letters I had written, (a very insignificant number,) during the time I was charged with having been so profuse in my correspondence.

You will doubtless also recollect, gentlemen, the letter, addressed to your secretary, which had been unsealed, taken out of the envelope, and which having been returned to me in your presence, some days after it had been sent to the office, I immediately handed over to my Lord Ashley. The enclosed envelope is an exact copy of the one, which contained that letter. I could not have believed that such an envelope, having been sealed, would have been broken open by any person, and much less could I have conceived it possible, that such a letter would not have been forwarded, seeing that it conveyed information relating to the pending investigation, with a view to my liberation.

Allow me to ask you, gentlemen, how can you ever expect to receive information, or to have complaints laid before you from the patients in these houses, if you permit the seals of letters addressed to your secretary, or to yourselves, to be broken at the pleasure of the officers, or servants of the establishment; and much more to allow them at their will and pleasure to retain these letters, and not forward them to you? Will you permit this to be done at the very time you are occupied in conferring with, and considering the propriety of

the liberation of the writer of the letter. I beg to observe, this was exactly the case respecting this letter, for it was well known, both to Mr. Lee and Mr. Allen, that you had made me two visits, with a view to my liberation; and Mr. Lee told me that Mr. Allen had opened my letter, and handed it to him, and then some days after, as I have stated, it was handed to me by Mr. Lee in your presence.

It does appear to me (but here I may be in error), that the utmost facility, with the greatest latitude, combined with the closest secrecy, should be given to the epistolary correspondence from the patients to yourselves. Surely if you, or your secretary, should receive a number of regular, fairly written, and intelligently communicative letters from a patient (no matter whether filled with complaints or otherwise) it must afford an excellent index to form a judgment of the apparent state of his mind, and sanity, and lead you to ascertain its real state on your next visit. Then, as to the patient, it would have a most consoling and soothing influence on his mind, whilst he has to endure the necessary and unavoidable irritations of a mad-house, and the excitation consequent on his seclusion and confinement, by the knowledge that he can impart his vexations and complaints to those who will readily attend to them, and if they admit of remedy, will apply that remedy without delay.

Having among the letters, which I wrote to your secretary, during my incarceration, inclosed the following; may I now be indulged with the information, whether they were forwarded, and if they were not forwarded, may I be allowed to have them returned to me.

A letter to the Earl of Litchfield, as Post-Master-General, on various improvements in mail coaches.

A letter to Mr. Alderman Wood, M.P., suggesting additional improvements to the City, and the Port of London.

A letter to William Tooke, Esq., M.P., with the draft of a petition.

A letter to Charles Barclay, Esq., M.P., with plans of improvements to be made in Blackfriars bridge, and suggesting

the expediency of widening, as well as lowering it, by adding galleries on both sides, constructed of iron work, and projecting beyond the stone work, to be used as footways.

I now beg, gentlemen, to recall your attention to the circumstance of my having been sent down among the paupers, or the gentlemen paupers, as they are called, and where you found me on your first and second visits. I had then, as I expressed it, "much reason and many things to complain of," but I was unsuccessful in fixing your attention. I complained of having been sent down to that pestiferous situation, to breathe such an impure and unwholesome air; but I could not press it further on your notice at that time, because I was dubious as to whether any change had taken place in the sum paid by my friends for my accommodation, which might have caused the change in my situation. Having since been informed that the same sum has all along been paid, I will now urge the complaint I would then have made, as it strongly exemplifies the wretched treatment awarded to a patient, after his sanity has been decidedly and repeatedly acknowledged by the surgeons and the officers of the establishment.

And here, allow me to repeat in corroboration of this opinion of my sanity, that no change has taken place in me, for I am not conscious of any change since the day I first entered that house. I have all along felt my mind to be in an uniform state, and that my reasoning powers always had the same controul over its operations as they have now, or ever had at any period of my life. The changes that have taken place since that period, I feel to be in my bodily health, and my faculties, which have not been impaired by reason of age only, but infinitely more, from the diseases inflicted, the horrors of my situation, and the treatment without remedy, of which I now complain.

I have no doubt you are aware, that in this establishment the patient being sent down from the parlours, or the front house, to the pauper side, or dwellings, is considered an indignity put upon him, and is termed a punishment. Now I will state, and boldly challenge the truth, there was no part of

my conduct at any time, which could warrant such an indignity being put on me. This indignity being used as a punishment, is revolting to the feelings, even when it takes place in a circle of madmen in a mad house; but it is not of the indignity I would so much complain, as the base and unworthy use made of it in the representations made to you, and others, of my violent and unworthy conduct, which made such removals expedient or necessary. I will appeal to the more respectable portion of the keepers, whether they ever saw me commit a violence, or ever give loose to violent language, or improper conduct of any sort, or kind. I think I may also appeal to you, Gentlemen, from what you have seen of my conduct and deportment at our various interviews, whether it is probable there could have been any necessity to have recourse to punishment in my case, and whether you would have authorised such treatment. At an interview I had with my brother, in July last, on my complaining to him of my having being compelled to live among the paupers, and to partake of their accommodations, Mr. Allen, in his usual manner, flatly denied to him before my face, that I had ever been sent down among the paupers, although he must have well known that I had been sent down three times, to spend my days with the gentlemen paupers, and to sleep at night with the parish paupers. Shameful and wretched was the treatment I experienced from the keepers in that part of the establishment; but it is not my object to prefer complaints against them, who, doubtless, received their instructions from their superiors, and only followed them.

I must not exhaust your patience by going into a lengthened statement of my sufferings during my sojourn in that part of the establishment; they were very severe, not only arising from the wretched treatment, but the bodily pain I endured from the illness consequent on the removal. Conceive, Gentlemen, what must be the effect on the human frame of passing, and being removed in the months of October and December, from a screened, warmed, and carpeted sitting-room, or parlour, to a day room, with the door opening out to the north, and a

sanded floor, full of air crevices; from a feather bed and pillows, with curtains, to a flock bed and pillow, without curtains; and from a warm up stairs bed-room, in a house warmed by several fires constantly burning, and the chimnies passing through the bed-room, to a cold, damp room, without any fire in the building, or near to it; while the damp, continually arising from the ground, on the exterior of the building being higher than the floor on the inside, renders the cold chill of the humidity excessive. These great and awful transitions made on the sudden, have inflicted pains and diseases in my frame, under which I am now suffering, and which will doubtless accompany me to my grave.

There was an additional grievance in this situation I had to endure, and at one time, for sixty-five nights successively; which was, a nest or colony of rats under the floor, and immediately under my bed's head. These vermin never failed to disturb me every night I was compelled to pass under these circumstances. I assure you, no pen or tongue can describe the misery and agony of my feelings and sufferings at this time, nor the horrors of those sleepless nights passed in a gallery filled with from twenty to thirty pauper maniacs, amidst their cries, and moanings, and howlings, and blasphemings, aggravated by the total and complete indifference with which my representations and remonstrances, both verbal and written, were received; and which I unceasingly made (especially about the rats) both to Mr. Allen and to Mr. Wastell (the latter in writing) till the last day, when I was ordered back to my old quarters; but during all that time no step was taken to remove the nuisance.

Incredible as I fear it must appear to you, I was actually sent down three times, to experience this treatment, and to undergo these sufferings. The first time I remained there about fourteen days, the second time sixty-five days, and the last time about twenty-one days; and as I was ordered down without cause, so I was taken back again without apology being offered or atonement received of any sort or kind. I would here observe, that I never saw Mr. Wastell during the

whole time, from my entrance in October, 1835, to his death in the June following.

I would willingly enter on a full and lengthened statement of the crimes or delinquencies (if such matters could be called delinquencies) which were alledged as the reason for my being subjected to these punishments, but it would extend my letter too considerably; suffice it to say, that I was informed the first time, it was for pressing the performance of a promise Mr. Goodwin had made me to deliver a letter to my brother; the second, which was shortly after, was for an unsuccessful attempt to convey some letters to my friends; the third was for four words of exclamation (very innocent ones) uttered from a back bed-room window, on the occasion of harsh treatment one night to Mr. Revell, who was at the time a chum with me. I am confident no justifiable reason can be produced for any punishment that I am not at this moment deserving of, for offering my complaints and remonstrances in a temperate and rational manner; and I appeal to *every line I have written* and to *the whole of my conduct* whether I have done otherwise during the whole of my incarceration. But, for one moment only, allowing that I was guilty and deserving of punishment, I respectfully contend, that no punishment should be administered or inflicted in these houses, which *perils the bodily health* and aggravates the diseases of the mind, as the transition and the treatment I have detailed must wretchedly and necessarily do.

I shall close this portion of my complaints relating more immediately to myself, with stating, that I had always intended to have brought before you matters of pillage and pecuniary plunder, both attempted and practised; but it now appears to be more within the province of the Proprietors to investigate charges of this description, and as soon as these gentlemen shall have returned me my papers, I pledge myself to lay before them, and substantiate allegations of this nature, against the upper servants of the establishment.

I shall now proceed with those complaints which relate to the patients generally, or rather to the fourteen or fifteen

parlour-patients, with whom I was situated, and who pay, or their friends pay for them, more than £1000 per annum, in order to show how very inadequately they are attended and supplied; and, furthermore, that the present Trustees or Proprietors have evinced a disposition to raise the profits of the establishment most exorbitantly and unjustifiably since Mr. Wastell's death, which I trust I shall be able clearly to demonstrate under the following heads:—

First, Deficiency in the number of the male keepers or attendants, the number (always too few) having been reduced.

Second, Deficiency of comforts and conveniences.

Third, Defective quality of food.

When I first entered the establishment, there were always two or three keepers attending the two sitting rooms or parlours, and who slept in the bed-rooms above, with the patients; but latterly, there has only been *one keeper* very often attending these two rooms, and for a month at a time. This keeper has also had to attend another patient, who resides by himself in a cottage at the further end of the garden. I have heard it asserted that this gentleman pays a price to secure the services of a man altogether to himself, and, at least, his friends expect that he has a keeper sleeping in his apartment every night.

I will just relate what lately occurred to myself, as one of the results of this paucity of keepers. I was awoke, between two and three o'clock in the morning of the 10th of October last, by the keeper, (James Lucas, who was quite alone, having no other keeper within call or hail,) who came to my bed-side, and requested me to get up, and assist him to put a straight-jacket on one of the patients, who had proved refractory, and who had only been sent into the house previous to his being restored to St. Luke's. I got up and went with Lucas into the adjoining room, where there was a fine athletic-built man, with limbs of double the power and size of mine, completely naked, sitting on the bed-side; and on my approaching him, he darted on me with clenched fists, and had not the keeper got behind him and fortunately tripped him up, I might have had some further serious disaster to have reported, and have been suffer-

ing the consequences. As it was, it required the utmost exertion of our united strength to restrain him, and to effect the keeper's object of confining him from doing further mischief. This was not the only time that I felt my life and limbs were put in jeopardy by the want of a fairly sufficient number of keepers.

The keepers are never all at home; some of them are engaged with external patients at their own residences. When I first entered the establishment, there were eleven of them; but the number was reduced to nine when I left, and had been for some time previous. I have known them to have been sent out one after the other, on calls to attend external patients, till there were only four keepers left at home to attend the male part of the establishment, which consisted at the time of from 120 to 150 patients. If there should be any doubt thrown on this part of my statement as to the reduction of the number of the keepers, (always deficient,) at the same time that the number of the patients had increased, if you will please to order a list of them, with their names, on the 1st October, 1835, and again on the 15th March, 1837, and how they were occupied, (simply at home or abroad,) it will confirm my statement, or I will furnish you with such a list.

Under the second head of diminished comfort and conveniences, I would notice to you that the whole of the last winter (wretchedly cold and severe as it was) there were no curtains to the beds in either of the rooms, although there were new four-post iron-bedsteads, and we had had curtains during the previous winter. There were also in the previous winter, night stools and feet washing-tubs, but these were old, and for want of being renewed, degenerated into the use of house and chamber-pails, which served the purpose. The want of water-closets attached to the house, or convenient cleanly substitutes for them, has been a source of much inconvenience and unpleasantness in the bed-rooms of the par-lour-patients. These are doubtless to be considered as matters of trifling consequence, but they serve to show the system pursued by the present Proprietors or Trustees.

The autumn of the last year was very damp and cold, and there was almost incessant rain during the latter part of the month of September. The parlour patients felt very cold and chilly, and made several applications to the keepers, and also both to Mr. Allen and to Mr. Lee, for fires to be lighted in the sitting-rooms. But the applications, and I may add, the urgent remonstrances, were not heeded till several of the patients having taken colds, and having heard that the patients in the other part of the establishment had been very noisy and clamorous for fires, the parlour patients addressed a letter to the Trustees, of which the following is the substance, and written nearly in the same words. (I have no doubt a copy of this letter will be found among my papers, with the names of the parties who signed it.) I state them now from memory, and also the date, which was the early part of October.

(Copy.)

“GENTLEMEN,

“THE long succession of very damp, rainy, and cold weather we have had this season has been felt by us very severely, and several of us are very unwell with colds, &c. We have repeatedly applied to the keepers and to Mr. Lee, to have fires lighted in our sitting-rooms, but without success. We will therefore thank you to have the goodness to give your orders, that they may be lighted forthwith.

“We are,

“Gentlemen,

“Your very obedient servants,

(Signed.)

————

“TO THE TRUSTEES OF HOXTON MADHOUSE.”

Two of the parties who signed this letter are since dead; the causes of their deaths may probably be dated from this time. I would not speak confidently as to the younger person, Mr. Braine; but I traced the decline of the elder one, Mr. Kennaby, and his subsequent treatment when he became so feeble as to be hardly able to leave his bed, and was con-

veyed to another, from which he never rose again, hastened and achieved his end. He died on the 28th January following. This bed was in a cottage at the bottom of the garden, and next to one where Mr. Goodwin had constantly slept, till he was taken ill, when he quitted it; the same in which Mr. Lee slept till he was taken ill, when he quitted it also, for a bedroom in the house. Poor Kennaby, when he was very ill, was removed from the house to the cottage, the very next, and similar to the one which both of these gentlemen had quitted, and immediately on their being taken ill. These cottages, from some mal-construction in the building of the walls, are particularly damp in winter (the paper hangs loose on the walls, &c.) and cold, as all such cottages necessarily are during winter. I never went in to see the poor man, but my teeth chattered, I felt a chill, and was compelled to leave shortly by reason of the cold. The small fire in the small grate being at the opposite extremity of the cottage, in another room, had but very little influence at the distance of his bed-side.

If I have been informed aright, you have laid down a law or rule for the regulation of these houses, that in the case of a patient being taken very ill, he shall be removed from the rest of the patients. No one can doubt but this is a most proper and judicious rule; but then, it would have been equally judicious, that proper chambers should have been provided for the reception of such sick patients. The want of a comfortable infirmary for the reception of patients in that state that you require them to be removed from among the others, is another most glaring evil in this establishment, for this is not the only patient whom I have seen to sink and to die, for want of fitting and proper accommodations.

The defective quality of the food, is the third and last subject of complaint relating to the patients generally which will tend to illustrate my position, that under the present administration it has gone on from bad to worse, although I must say, for a short time after they first entered on their office there was a manifest improvement in the quality of what

was provided. Ever since I entered the establishment, the food has been coarse and inferior; and when it was worse than ordinarily, I wrote to the late Mr. Wastell occasionally, requesting that food of a better quality, and more commensurate to the prices paid by the parties might be supplied to us; and I now repeat what I have often stated, in relation to the food which I have been compelled to eat in this house, that when I served the office of overseer in the parish of St. Giles in the Fields I have rejected food of superior quality, both butter, cheese, and meat, as being inferior to what the parties had agreed to supply for the poor in the parish workhouse, agreeably to their contracts with the parish.

You must feel, gentlemen, that there is some difficulty in producing proof of the quality of such articles, and more especially where the withdrawing any portion of them (if found out) would be treated as a high crime and misdemeanour; and more especially still, where the act might be construed into a proof of insanity. You may judge then, gentlemen, what must have been my painful anxiety in possessing myself of the accompanying *samples of cheese*, which was the only sort and quality we had to eat for *successive months*. Could I impart to you what I have seen of the shudders of disgust and abhorrence with which each weekly supply was looked over, and smelt too, for many, very many weeks, I am confident you would take some effectual steps to prevent the recurrence of such corrupt and offensive food, being again supplied to the patients. Neither the Trustees or the Officers of the establishment can plead ignorance of the supply and its quality. At three intervals of a month or longer between each, I complained to Mr. Allen of this cheese and its quality, till at last he laughed in my face, and said "it could not last for ever." I also complained to Mr. Lee, and exhibited pieces of it to him several times. I also wrote to the Trustees two or more letters on the subject; and I could much wish you would require these letters to be produced, for they referred not alone to the cheese, but to the other food, which was very bad about that time; and previously to my sending these

letters, I read them aloud to Mr. Revell and to Mr. Braine, before the keepers, that they might, if called on, confirm the truth of the statements and allegations contained in these letters. All this was done in vain, and it was not till the 10th of January last that any change took place, and that cheese of a fair eatable quality was supplied. It may appear to you, gentlemen, that I am tediously detaining you on the subject of the cheese, which is doubtless with you but a very trifling part of your food, but it is not of trifling import to the patients; for with them it is all they have for a principal meal, their supper; and I assure you, many days when I could not eat the meat, it was all I had for my dinner; I am now referring to the time previous to the cheese being of such bad quality.

The meat has often been as inferior in quality as the cheese, wretchedly hard, tough, and skinny. Salted meat, too often repeated for the health and the digestion of the patients. I observe, in one week in February last, there was pork, and pork alone, every day, excepting on Sunday and the Saturday following, when there were other joints as well as pork; and on four days the pork was salted. Similar repetitions have taken place of salted beef, hard, briny, and of inferior quality. I have known three weeks to pass successively, with no other description of meat supplied than pork and mutton in constant repetition; and I have also known five months to pass with only one joint of veal on the table.

The constant repetition of the same description of meat is wearisome and palling to the appetite; but, yet if eatable and good, it would not form, in my opinion, a ground of complaint, and I mention it rather to illustrate the utter disregard of the purveyors for the comfort of the patients.

Dishes of pig's heads, and at other times of pig's fry, chittlings or some such thing, has been the only dish provided for dinner. This has occurred several times, and drew forth this remark, from a respectable good tempered Essex farmer; the last man in the world to be a grumbler, and who had many of his senses about him, when he first came among us. "Well" said he, "I have often set a better dinner than this before my

men in the kitchen, and they have grumbled most nationally at it."

While the meat has been bad, the potatoes (usually the only vegetable provided) were wretchedly frost-bitten, from the month of February to the 14th of July, when new potatoes were first had; but the old ones for some time previously had been only fit for pig's food.

The butter was always salt, both for breakfast and tea, often rancid.—so that dry bread has been preferred.

If you should wish, or require additional testimony in corroboration of what I have laid before you, as to the very bad and unwholesome quality of the food in general; I will refer you to a gentleman, who was an inmate of the house only for a short time, but sufficiently long to be disgusted with the fare; and who has expressed his willingness to confirm the truth of what I have stated, as far as his residence among us has qualified him.

Surely, gentlemen, it does not comport with your character and feelings, that rapacity and extortion, and exorbitant profits, should flourish under your license and superintendence, and be extracted from the poor unfortunates, who have not the power to complain; and those poor unfortunates also, who having the power, fail in the will, from the anxiety they entertain to lose sight, as early as possible, of the unhappy malady, with which they have been afflicted, and all the wretched circumstances connected with it. To shew to you and to demonstrate clearly, that the profits derived from this establishment are most exorbitant; allow me to state, that for the last three months since my liberation, I have boarded and lodged in a house, which has been carried on for profit by the same person, for the last twenty years or longer, and is adapted to accommodate only half a dozen inmates. I will not detain you, by running a close parallel between the two houses, and therefore simply observe, that I am now supplied with the best white wheaten bread and rolls, instead of good second bread; with fresh butter, instead of salted; with meat of first and second quality, instead of meat of third and fourth quality; so that in

few words, plain, good, and wholesome food is supplied, with the enjoyment of a quiet and comfortable bed-room to myself alone, instead of forming one of fourteen persons sleeping together; while the charge or price paid, is not two-thirds of what I am informed was paid for me at Hoxton.

There is another matter I see I have omitted to mention, but notwithstanding the length of my letter, it is of so much importance, that I must not neglect to draw your attention to it. I assure you, gentlemen, even at this distance of time I shudder, and my blood runs cold, at the recollection of the barbarities and cruelties, I have seen daily practised within those walls, and which could never have occurred, or have been seen, or sanctioned by the superintendents or managers, if they had had the feeling of responsibility attached to their actions. I allude now more particularly, to the treatment of the pauper patients, who lie in the straw room; and who are made to come out every morning into the middle of the yard, one after the other, or two of them together, naked and bare foot, having to pass over about two yards of flag pavement, and about five or six yards of sharp pebble pavement, and walk up to an iron cistern, standing in the middle, at one end of the yard; there they stand and are cleaned down by one of the patients with a mop, in the same manner as a stable boy mops down a horse, when he comes in covered with splash and mud; or rather, with as much care and tenderness as he mops out the gig. I have seen both young and old pushed down under the operation, and fall upon the pebbles. I have seen the operation performed, when icicles have been hanging down round the top of the cistern. I have passed by them, when the snow, and the rain, and the sleet, has been pelting on their naked bodies. If any thing could be added to render this exhibition more barbarous and disgusting still, it is supplied by the fact of its being overlooked by some of the females' bed-room windows.

May I be permitted to ask, who are the persons licensed to carry on this establishment? Are they not a solicitor in Gray's Inn Square, an auctioneer in Margaret Street, and a clerk in the Globe Assurance Office? However respectable these par-

ties may be in their several vocations, and I have not the least intention of impugning their respectability, for their very respectability precludes their usefulness, and giving their attention to this concern ; and can it be right, that they should be entrusted with the care of the health, the recovery and the comforts of three hundred human beings, who they never see, nor are seen by them. I will not waste a moment, on the inefficiency of their deputies or substitutes ; what I have seen and described, could never have taken place under able, honest, and competent superintendence.

I have thus gone through the irksome and unpleasing task of laying before you some of those complaints, which I promised you to do, ever since I had the honour of first meeting you in the Hoxton Establishment ; and if it were required, I could give a full and reasonable explanation, why I have not done it before ; and which would tend even in stronger colours to shew the viciousness of the whole system, and why it is, that under trustees, or non-resident proprietors and their agents, your system of visits is not effectual, to attain the objects you desire, the proper treatment of the patients.

Besides those deficiencies of accommodation in the building, which I have pointed out, there are several other improvements which I could suggest, if you should think proper, to require to have them laid before you.

I would conclude, by taking the liberty of also stating my willingness to use my best endeavours to correct these evils ; and I beg leave to suggest for your consideration, as a general measure to be adopted, to prevent as far as may be possible, the recurrence of similar abuses to those I have pointed out.

First, That no license be granted in future to any house, which has not one, or more *proprietors residing immediately on the spot* ; and he or they shall be required to certify, that they have seen every patient in the house once or more during the week.*

* The proprietor of the house, who alone should be licensed as the superintendent, and therefore responsible for the manner in which it is conducted, should be required to certify that he has seen every patient in his establishment once or more during the day, recording the state of the health of each patient, both bodily and mentally, with any peculiar circumstances, and the medical treatment adopted in

Second, That a Commissioners' letter-box, or several of them, be affixed in every house, and to which each of the patients may have access. Over this letter box, a printed statement to be affixed of the patients right to address the Commissioners, and any information respecting their functions and powers, which may be desirable for the patients to be acquainted with. These boxes to be changed or emptied once a month or oftener, and forwarded to the Commissioners, without the letters being seen by the proprietors or their servants.

I have the honour to be,

Gentlemen,

Your very obedient humble servant,

(Signed) _____

PENTON STREET, PENTONVILLE.

5th July, 1837.

MY LORD AND HONOURABLE GENTLEMEN,

When I handed to your Lordship, presiding at your last quarterly meeting, my letter of the 5th July, your Lordship gave me the assurance, that the letter should be read, that it would be taken into consideration, and that I should hear from your secretary.

Since that time I have not been favoured with any communication, further than meeting your secretary accidentally in Lincoln's Inn. On my questioning him on the subject as to what had been done, he informed me that my letter was found so full of exaggerations as to be unworthy of further attention,

each case. It is hardly credible, but in neither of the four metropolitan establishments in which I have been placed is the system of daily seeing the patients followed. In one of them the proprietor having come into the parlour to see me on three days in three successive weeks, the patients were literally astounded at the frequency of the visits, not having, as they stated to me, seen him before for the last six months, and, as previously stated, I had passed eight months in Hoxton-House, without having once seen the licensed proprietor, Mr. Wastell; it therefore appeared to me at that time, that a considerable improvement would be effected by the licensed proprietor being compelled to see their patients *weekly*, but subsequent experience has pointed out and affirmed the necessity of *daily* visits, to do them justice; and if proprietors are too lazy or too indifferent to perform this duty daily, their licenses should be taken from them.

and on my asking him whether it was intended to adopt the suggestions at the close of the letter, he told me there was no such intention on your part.

Having endeavoured to solace myself during my incarceration, even to the latest hour, of those wretched and prolonged sufferings, by the hope and expectation that on my liberation I should have the pleasure of seeing some effective steps taken to prevent the recurrence of such villainous wrongs. I now feel that all my sufferings have been in vain, and the sadness arising from the recollection of those horrors, is increased by the thought that the same evil may recur, and the same wrongs be perpetrated again, as I have witnessed and suffered. That any poor fellow, who may have experienced a sad succession of misfortunes, which his foresight could not ward, and this the only madness or derangement to be imputed to him, he bears these misfortunes meekly and patiently, till splendid prospects open on him of wealth and fame, and at the very time he may be about to realize these prospects, by securing his invention, he may be, after a single visit of fifteen or twenty minutes, by two doctors, dragged from his home, and incarcerated in a mad house; he may be there jeered and taunted in the most insulting manner; be compelled to endure the worst of treatment, under a fanciful notion of punishment; may be fed with the coarsest, unwholesome, and most improper food during eighteen months; while all the time a very ample and liberal sum has been paid for his sustenance and accommodation, and after all, like me, he may find his complaints are to be unheeded while he remains in this situation, under the plea that he is labouring unfortunately under the ban or stigma of insanity; and, when he is liberated, his complaints are equally undeserving of attention, under the plea of their being exaggerated.

So far from having being guilty of exaggeration in my statements and representations, I can pass each complaint under review, and were it not occupying too much of your time, I would produce under each head of complaint additional facts of a more gross and revolting nature. At the present moment, I will only detain you with the following.

One of my complaints was, that I had been three times punished by having been sent down from the comforts of the

parlours and the bed rooms of the front house, to the accommodations of the paupers. I also stated that I had not done anything which could justify this treatment, and I appealed to you whether you had seen anything in my conduct or deportment which would seem to require, or would warrant the infliction of any such punishment. To shew you how much more inclined I was to repress the relation of outrages than to exaggerate them, I will now state to you that very shortly (a few days) after I had been sent down among the paupers the second time (for throwing letters to my friends out of a front window), I was taken by the keeper, ironed and chained by the leg to the floor, and this was repeated on the following day, so that I passed twenty hours on two successive days in the month of December, 1835, at a distance from the fire, and the evening part till bed time, without fire or candle, half perished with cold, but burning with indignation at the treatment.

For what, or the reason why, this was done I was not informed, and therefore cannot tell you; I must, therefore, refer you to those who committed the outrage, or to those who ordered it to be committed. I can solemnly declare there was no more cause or excuse for it, than there would be for the repetition of the same treatment at the present moment. After having been some hours in this chained and confined situation, and feeling the calls of nature strong upon me, I sent a message to the keeper, begging that I might be unchained, and allowed to go to the privy to relieve myself. My messages were repeated, but remained unnoticed, till at length Mr. Allen came into the yard, when a common wooden pail was brought me, with an insulting message, that I might make use of it. I cannot recal the jeers, the taunts, and the insults, I have received from this individual, without expressing my indignation at his conduct in general, and more particularly at the duplicity with which, on my complaining to my brother and a friend, who was present, of the treatment I had experienced on my being sent down among the paupers, he declared to them before my face that I had never been sent down among the paupers at all, and he made the declaration with so much boldness and effrontery, as to induce them to believe at the time that my complaints were groundless.

In the statement of the facts thus presented to you, I have had altogether to depend on my memory, but if my papers were returned to me, which are still withheld by the trustees, or proprietors of the house, I should find others. I cannot conceive the ground or reason why you have not answered my appeals to you on the subject of these papers, and more particularly since I recollect to have received a promise in your presence, both from Mr Lee and Mr. Allen that they should be returned to me when I quitted the house. This promise was made when the papers were produced before you. Surely, Gentlemen, the papers are mine; surely, again, you have the power to compel their restitution. Surely, on every principle of right and justice, you ought to exercise that power.

Since the proprietors do me the injustice of withholding my papers, I now feel that any complaints of the pillage of their servants made to them would be fruitless, I therefore purpose to lay them before you in another letter. I heard, while I was in the house, of your having entered into an investigation of this kind on the complaints of one of the poor patients, but I could never learn the result of the investigation. I fear the poor patient was foiled and overborne by the mendacity of the servants.

Having noticed among your minutes, you have occasionally directed that alterations should be made in the building, I purpose to lay before you suggestions for further alterations and improvements, and which appear to me are much required for the health and comfort of the patients; and, in a future letter, I may venture to offer some reflections on the system and its effects, in a general point of view.

I beg to be allowed to repeat that this letter is written principally with a view to purge myself of the charge of exaggeration, in order that my future letters may be considered more worthy of your attention. Again, to call your attention to my papers being restored to me,

I am,

My Lord and Honourable Gentlemen,

Your very obedient humble Servant,

(Signed.)

PENTON-STREET, PENTONVILLE,

4th October, 1837.

(Copy.)

TO THE METROPOLITAN COMMISSIONERS IN
LUNACY.

MY LORD AND HONOURABLE GENTLEMEN,

HAVING kept up a correspondence with a party who belonged to Hoxton-house ever since I quitted it, I hasten to communicate to you an extract of a letter that I have just received from him, substituting the initials A. B. for the name of my correspondent's informant, as I have some doubts whether he may not belong to the Egham establishment.

“I have this day seen A. B., who has informed me that Mr. Revell, contrary to the reports which have been circulated about his death, (at Hoxton,) is still confined in Egham Asylum, and to all human appearance well, and in every respect a proper patient to be immediately set at liberty.”

I am apprehensive, my Lord, that your authority does not extend to Egham, and therefore an appeal to you to institute an investigation into the truth of the above is useless; but if you will be pleased to give directions that I may be informed of the proper channel or authorities to whom I should apply, I will immediately set about making an appeal to them.

Having ever since we first met at Hoxton highly appreciated the talents of Mr. Revell, having pitied him on account of his unhappy malady and the unkind treatment he received from his family, I have occasionally called since my discharge on his friend and trustee Mr. B., of Lincoln's Inn Fields, to make inquiry after Mr. Revell's health; and it is only about a fortnight since that Mr. B. informed me that Mr. Revell was well in bodily health, but his mind was more diseased than ever, leaving little hope of his recovery.

I once saw Mr. Revell, while we were together at Hoxton, in a convalescent and rational state for more than two months, and my opinion always has been that had he been taken out at that time by his friends, or had had the good fortune to have been discharged by you, there was little doubt of his complete restoration. The resolutions which he communicated to me that he had made for the guidance of his future conduct in the event of his release were most prudent, and of a ten-

dency to counteract his malady; but hope deferred made the heart sick, and he relapsed. And it has been with extreme regret I have ever since contemplated the lost opportunity of such a young man being restored to society.

I should have considered Mr. B——'s statement to have been conclusive against the information of my correspondent, had I not known from my own experience what little reliance ought to be placed on the representations of the state of the health of the patients made by the madhouse proprietors or their officers; and it is from these, I suppose, Mr. B—— has derived his information. Since my discharge, I have been informed by a lady who wished to see me and applied to Mr. Lee, the surgeon at Hoxton House, for that purpose, when Mr. Lee represented to her that I was in such a furious state as to render the interview altogether improper, and thus deterred her. Nothing on earth could be more scandalously false or calumniously villainous, and it is altogether of a piece with the cruel malignity of his treatment of me. What renders the falsehood more gross and odious, is that it was made about the time of the first of your special visits to me, with a view to my liberation.

I regret to have to inform you, that I have not as yet received my diary and papers, which were taken from me at Hoxton House; and I again respectfully request you will be pleased to exert your authority, that they may be restored to me. I beg to recall to your recollection, that these papers were at my instance, exhibited before one of your committees, on one of your last special visits to me, and that in the presence of this committee I was deluded with the promise, that these papers should be restored to me on my liberation. There cannot be any reasonable excuse for withholding them. They are important to me, and I, therefore, hope and trust you will be pleased to direct, that this act of justice be rendered me forthwith.

I have the honour to be,

My lord and honourable gentlemen,

Your very obedient servant,

(Signed) _____

PENTON STREET, PENTONVILLE,

15th October, 1837.

REMARKS AND MEMORANDUM, BY MR. —

[*Having had the honour of addressing, in the course of the last two years about TWENTY letters to the Board of Commissioners and their Secretary, AND NEVER HAVING BEEN FAVOURED WITH A SINGLE ANSWER, it was with considerable pleasure I received the prompt communication which follows.*]

(*Copy.*)

METROPOLITAN COMMISSIONERS IN LUNACY.

Office, 6, John Street, Adelphi,

SIR,

17th October, 1837.

By order, I have the honour to inform you, that your letter of the 15th instant, will be laid before the Commissioners at their next meeting.

Your obedient servant,

(Signed)

EDWARD DU BOIS.

Clerk and Treasurer.

To—ESQ., PENTON STREET, PENTONVILLE.

Not having received any further communication, about a month after I called at the office, and saw Mr. Dubois, who informed me, that my letter had been laid before the Commissioners, but he had not received any directions to send an answer. On my asking him what was to be done? He advised me to apply to the Clerk of the Peace for the County of Surrey, and obtain the names of the visiting Magistrates and write to them. This was done, and that worthy and excellent Magistrate, Mr. Barnard, immediately instituted an enquiry, and shortly after sent me the Report of Sir Alexander Morrison, which was adverse to Mr. Revell's liberation. Thus I fear the fate of a fine young man of extraordinary talents, who had spent three terms at Cambridge, is unhappily sealed for the remainder of his days.

The letters and papers never having been restored, and no redress or attention of any sort offered by the Commissioners, all further correspondence was suspended, until as before stated a second confinement took place: which was equally unmerited on the score of insanity, and the certificate under which it was effected, was based on a series of falsehoods and misrepresentations, aided by the fact of the duration of the former confinement.

Since the above correspondence and observations were prepared for publication, the Lord Chancellor laid upon the table of the House of Lords the annual report of the Metropolitan Commissioners in Lunacy, of which I have procured a copy. Amongst the meagre and unsatisfactory reforms of the present state of the law which they therein propose, I observe one, No. 17, for empowering the official visitors, at their discretion, to give an order for the admission of any relation, trustee, or friend, to visit a patient wherever confined. I congratulate my fellow-countrymen. AT LAST, the ties of friendship will be respected by our statutes. In my opinion, however, the Commissioners had that power already, and need no reform for the exercise of it, but the reform of their own imbecility.

THE erroneous confidence which the Public have reposed in the surveillance of the Private Lunatic Asylums by the Metropolitan Commissioners in Lunacy, and the highly laudatory strains in which their conduct and exertions has been bepraised in Parliament has induced Mr. —— to desire to make a general appeal in the behalf of the unfortunate persons whom he left confined in these Asylums; should this Pamphlet excite sufficient interest in the public mind to encourage the effort, he proposes to publish a detailed statement of his case, and of the circumstances attending nearly five years spent in mad-house confinement, without his having ever been afflicted with any species of insanity, and, as far as he has heard, without any act or threat of violence, more than a written hypothetical threat, of inflicting personal chastisement, having ever been imputed or charged against him; in order to shew how the confidence of the Public has been abused; the very ignorant and low class of persons employed as keepers, and the consequent wretched treatment of the patients; the indifferent accommodation provided for them, and to expose the mismanagement and enormities of the four different Metropolitan Lunatic Asylums, in which he has been placed, with suggestions for the amendment of the system. The matter will be sufficient to fill a five shilling book, and as soon as a sufficient number of subscribers, declare themselves to Mr. WILSON, the work shall be published, in the hope of a full enquiry being instituted by the Legislature previous to any further alteration in the laws.

